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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>30 January 2009</u>.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-41</u> is/are pending in the application.
   4a) Of the above claim(s) <u>36-41</u> is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-35</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>09 April 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

1.   Applicant's arguments, see REMARKS, filed 1/30/2009, with respect to OBJECTION TO EMBEDDED HYPERLINKS have been fully considered and are persuasive. The OBJECTION of SPECIFICATION IN REGARDS TO EMBEDDED HYPERLINKS has been withdrawn.

Response to Amendment

The amendment to the specification and claims filed on 1/30/2009 does not comply with the requirements of 37 CFR 1.121(c) because of improper amendments (i.e. specification amendments in all of applicant's responses). Amendments must comply with 37 CFR 1.121(c) which states:

(a)   Amendments in applications, other than reissue applications. Amendments in applications, other than reissue applications, are made by filing a paper, in compliance with § 1.52, directing that specified amendments be made.

(b)   Specification . Amendments to the specification, other than the claims, computer listings (§ 1.96) and sequence listings (§ 1.825), must be made by adding, deleting or replacing a paragraph, by replacing a section, or by a substitute specification, in the manner specified in this section.

(1)   Amendment to delete, replace, or add a paragraph . Amendments to the specification, including amendment to a section heading or the title of the invention which are considered for amendment purposes to be an amendment of a paragraph, must be made by submitting:

(i)   An instruction, which unambiguously identifies the location, to delete one or more paragraphs of the specification, replace a paragraph with one or more replacement paragraphs, or add one or more paragraphs;

(ii)   The full text of any replacement paragraph with markings to show all the changes relative to the previous version of the paragraph. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strikethrough cannot be easily perceived;

(iii)   The full text of any added paragraphs without any underlining; and

(iv)   The text of a paragraph to be deleted must not be presented with strike-through or placed within double brackets. The instruction to delete may identify a paragraph by its paragraph number or include a few words from the beginning, and end, of the paragraph, if needed for paragraph identification purposes.

(2)   Amendment by replacement section . If the sections of the specification contain section headings as provided in § 1.77(b), § 1.154(b), or § 1.163(c), amendments to the specification, other than the claims, may be made by submitting:

(i)   A reference to the section heading along with an instruction, which unambiguously identifies the location, to delete that section of the specification and to replace such deleted section with a replacement section; and;

(ii)   A replacement section with markings to show all changes relative to the previous version of the section. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived.

(3)   Amendment by substitute specification . The specification, other than the claims, may also be amended by submitting:

(i)   An instruction to replace the specification; and

(ii)   A substitute specification in compliance with §§ 1.125(b) and (c).

(4)   **Reinstatement of previously deleted paragraph or section** . A previously deleted paragraph or section may be reinstated only by a subsequent amendment adding the previously deleted paragraph or section.

(5)   **Presentation in subsequent amendment document** . Once a paragraph or section is amended in a first amendment document, the paragraph or section shall not be represented in a subsequent amendment document unless it is amended again or a substitute specification is provided.

(c)   Claims . Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim

number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).

(1)   Claim listing. All of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of "canceled" or "not entered" may be aggregated into one statement (e.g., Claims 1–5 (canceled)). The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment.

(2)   When claim text with markings is required. All claims being currently amended in an amendment paper shall be presented in the claim listing, Indicate a status of "currently amended," and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of "currently amended," or "withdrawn" if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as "withdrawn - currently amended."

(3)   When claim text in clean version is required. The text of all pending claims not being currently amended shall be presented in the claim listing in clean version, i.e., without any markings in the presentation of text. The presentation of a clean version of any claim having the status of "original," "withdrawn" or "previously presented" will constitute an assertion that it has not been changed relative to the immediate prior

version, except to omit markings that may have been present in the immediate prior
version of the claims of the status of "withdrawn" or "previously presented." Any claim
added by amendment must be indicated with the status of "new" and presented in clean
version, i.e., without any underlining.

(4)   When claim text shall not be presented; canceling a claim.

(i)   No claim text shall be presented for any claim in the claim listing with
the status of "canceled" or "not entered."

(ii)   Cancellation of a claim shall be effected by an instruction to cancel a
particular claim number. Identifying the status of a claim in the claim listing as
"canceled" will constitute an instruction to cancel the claim.

(5)   Reinstatement of previously canceled claim. A claim which was previously
canceled may be reinstated only by adding the claim as a "new" claim with a new claim
number.

(d)   Drawings : One or more application drawings shall be amended in the following
manner: Any changes to an application drawing must be in compliance with § 1.84 and
must be submitted on a replacement sheet of drawings which shall be an attachment to
the amendment document and, in the top margin, labeled "Replacement Sheet". Any
replacement sheet of drawings shall include all of the figures appearing on the
immediate prior version of the sheet, even if only one figure is amended. Any new sheet
of drawings containing an additional figure must be labeled in the top margin as "New
Sheet". All changes to the drawings shall be explained, in detail, in either the drawing
amendment or remarks section of the amendment paper.

(1)   A marked-up copy of any amended drawing figure, including annotations
indicating the changes made, may be included. The marked-up copy must be clearly
labeled as "Annotated Sheet" and must be presented in the amendment or remarks
section that explains the change to the drawings.

(2) A marked-up copy of any amended drawing figure, including annotations indicating the changes made, must be provided when required by the examiner.

(e) Disclosure consistency. The disclosure must be amended, when required by the Office, to correct inaccuracies of description and definition, and to secure substantial correspondence between the claims, the remainder of the specification, and the drawings.

(f) No new matter. No amendment may introduce new matter into the disclosure of an application.

(g) Exception for examiner 's amendments. Changes to the specification, including the claims, of an application made by the Office in an examiner's amendment may be made by specific instructions to insert or delete subject matter set forth in the examiner's amendment by identifying the precise point in the specification or the claim(s) where the insertion or deletion is to be made. Compliance with paragraphs (b)(1), (b)(2), or (c) of this section is not required.

(h) Amendment sections. Each section of an amendment document (e.g., amendment to the claims, amendment to the specification, replacement drawings, and remarks) must begin on a separate sheet.

(i) Amendments in reissue applications. Any amendment to the description and claims in reissue applications must be made in accordance with § 1.173.

(j) Amendments in reexamination proceedings. Any proposed amendment to the description and claims in patents involved in reexamination proceedings must be made in accordance with § 1.530.

(k)   Amendments in provisional applications. Amendments in provisional applications
are not usually made. If an amendment is made to a provisional application, however, it
must comply with the provisions of this section. Any amendments to a provisional
application shall be placed in the provisional application file but may not be entered.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

Claims 24-35 lack the proper form for a claim directed to computer/machine

readable instructions.

To be statutory claims directed to computer/machine readable instructions must

be embodied on a computer readable medium encoded with a process or data structure

usable by a computer. A Machine-readable medium is not acceptable. For the claim to

be statutory the preamble of the claim must define a structural and functional

interrelationship between the process or data structure and computer software and

hardware components. As a result, the preamble of the claim must define a process or

data structure as a computer readable medium embodying the process or data

structure. **Further, the computer readable medium cannot be any type of signal as**

defined by the specification (see paragraphs 0030 and 0037) or claim itself.

Examples of acceptable language in computer-processing related claims :

1.   "computer readable medium" encoded with ____(Options Below)____
       [a] "a computer program"
       [b] "software"

        [c] "computer executable instructions"
        [d] "instructions capable of being executed by a computer"

2.   "a computer readable medium" __(Options below)_____ "computer program"
        [a] storing a
        [b] embodied with a
        [c] encoded with a
        [d] having a stored
        [e] having an encoded

Correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Regarding claims 1 and 8, the phrase "configured" renders the claim indefinite

because it is unclear whether the limitation(s) following the phrase are part of the

claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims **1, 4-5** and **7** rejected under 35 U.S.C. 103(a) as being

unpatentable over **Evans ("US 7,200,680 B2")** and in view of **WAP Push**

("WAP Push Message Ver. 16-Aug-99").

Evans discloses:

         Regarding claim 1, a method (see Evans; abstract; "method") of

sharing content between a user and a recipient in a telecommunications

system (see Evans; abstract; "providing multimedia messages to

incompatible terminals") having at least one network gateway (see Evans;

figure 2; "WAP GWY") coupled among multiple mobile devices (see Evans;

figure 2; "204" and "210") and a network (see Evans; figure 2), wherein a

content sharing system (see Evans; figure 2; "202" and "206 are part of the

system) and a content provider (see Evans; "202" and "206" belong to

content provider) are also coupled to the network (see Evans; figure 2; a

network), the method comprising: receiving a request message (see

Evans; figure 3a; "notify.ind("http://mms1/msg1")), comprising a specific

resource locator (see Evans; figure 3a; "http://mms1/msg1") , wherein the

specific resource locator identifies a device-dependent portion of the

content (see Evans; figure 3a; "http://mms1/msg1" identifies device

dependent content wherein the device-dependent portion of the content

corresponds to the specially formatted multimedia format), wherein the

device-dependent portion of the content is configured for a specific class of

device (see Evans; figure 3c; wherein the class of device corresponds to

the range of mobile devices that can accept the format of the multimedia

device), and wherein the request message (see Evans; figure 3a;

"notify.ind("http://mms1/msg1")) is configured, at least in part, by the

content provider and includes an indication of content provided by the

content provider and selected by the user for sharing with the recipient (see

Evans; figure 3a; wherein http://mms1/msg1 is generated by content provider

and provides content for sharing); based on the recipient identification

information and the indication of content in the received request message,

determining whether the recipient's mobile device and the user's mobile device

are in the same class (see Evans; col. 7 lines 7-9; wherein the browser handling

and model determination corresponds to determining whether the recipient's

mobile device and the user's mobile device are in the same class); where the

recipient's mobile device and the user's mobile device are in the same class,

generating a specific content message for transmittal to the recipient's mobile

device (see Evans; col. 7, lines 14-19; wherein when a successful match is found

corresponds to where the recipient's mobile device and the user's mobile device

are in the same class. Following this if condition, i.e. if successful match, the

renderMmsMsg is sent which corresponds to specific content message for

transmittal to the recipient's mobile device, i.e. the matching model determined in

the model determination in col. 7, line 8), wherein the specific content message

includes the specific resource locator but not the generic resource locator

(see Evans; col. 5, line 54; wherein "http://mms1/msg1" corresponds to

only the specific resource locator for delivery of the specific content

message), and wherein the specific content message is configured to (see

Evans; figure 3b; col. 5, line 60; wherein the rendering of the message

corresponds to the specific content messing being configured) allow the

recipient to access the device-dependent content, so that the device-

dependent content can be displayed on the recipient's mobile device (see

Evans; col. 5, lines 65-66; wherein the images actually retrieved by

multiple GETs corresponds to the content being displayed on the

recipient's mobile device); and where the recipient's mobile device and the

user's mobile device are not in the same class (see Evans; figure 3b;

wherein devices are not in same class), generating a generic content

message for transmittal to the recipient's mobile device (see Evans; figure

3b; wherein "renederMmsMsg()" is a function that generates content

message to incompatible device), wherein the generic content message

includes the generic resource locator but not the specific resource locator

(see Evans; figure 3b; wherein transferring of generic message does not

contain specific message content), and wherein the generic content

message is configured (see Evans; figure 3b; wherein conversion is thus to

generic msg, thus a configuration) to allow the recipient to access the

device-neutral content (see Evans; figure 3b; wherein "210" gets the

device-neutral content), so that the device-neutral content be displayed on

the mobile device of the recipient (see Evans; figure 3b; generic content

rendered using "renderMMsMsg()" such as "ImageRef" for "210" thus for

displaying to "210").

Regarding claim 4, the method (see Evans; abstract; "method") of

claim 1 wherein the specific resource locator is associated with an

executable application or applet (see Evans; col. 6, line 30, wherein

GET(msgid) from servlet corresponds to the specific resource locator

associated with an executable applet; col. 6, line 53 where in appl/smil

corresponds to applet/synchronized multimedia, i.e. smil 1.0, sms2, is a

java applet; col. 6, line 60, JSP Servlet is also a java applet).

Regarding claim 5, the method (see Evans; abstract; "method")
wherein the generic resource locator is associated with an HTML or WML
page (see Evans; col. 5, line 35).

Regarding claim 7, the method (see Evans; abstract; "method")
wherein the received request message is in the form of an HTTP GET
request (see Evans; col. 5, lines 22-23).

Evans is silent about:

Regarding claim 1, wherein the request message comprises a
generic resource locator wherein the generic resource locator identifies a
non-device-dependent portion of the content wherein the non-device non-
device-dependent portion of the content is configured for multiple devices,
each belonging to a distinct class; and receiving recipient identification
information from the user, wherein the recipient identification information
identifies the recipient with whom the user wishes to share the content.

However, in a related field of endeavor:

WAP Push discloses:

Regarding claim 1, wherein the request message (see WAP Push;
scope; wherein WAP Push message) comprises a generic resource locator
(see WAP Push; page 9; wherein disclosure of Content-Location, wherein
URL is specified as defined in [HTTP] referenced) wherein the generic
resource locator identifies a non-device-dependent portion of the content

(see WAP Push; page 9; wherein Content-Location) wherein the non-

device non-device-dependent portion of the content (see WAP Push; page

9; wherein reference to RFC 2616 point to Content Location wherein

Content Location; wherein Content Location contains the relative URL, the

generic URL) is configured for multiple devices, each belonging to a

distinct class (see WAP Push; wherein generic, thus for multiple devices).

Furthermore:

Examiner takes official notice that:

Regarding claim 1, receiving recipient identification information from

the user, wherein the recipient identification information identifies the

recipient with whom the user wishes to share the content (see Non-Final

Rejection mailed on 4/30/2008 followed by applicant's arguments on

7/30/2008).

It would have been obvious to one of ordinary skill in that art at the time of

the application to include receiving recipient identification information from the

user, (one example would include a phone number), wherein the recipient

identification information identifies the recipient with whom the user wishes to

share the content in Evans for the purpose of pinpointing the specific singular

user which is intended to receive the message sent via a sender (see Evans; col.

4 lines 54-62; wherein the user's terminal 204 sends a message destined for

user's, i.e. single destination, terminal 210 via the network elements in between

in a telecommunications system; col. 3 line 24; environment the user terminal

sends information with whom the user wishes to share/send the

message/content).

       Given that the invention of Evans and WAP Push both relate to a

multimedia distribution to terminals (i.e. end devices), it would have been obvious

to one of ordinary skill in the art at the time of the invention to modify the

invention of Evans, as taught by WAP Push, thereby following WAP (Wireless

Application Protocol) which is a result of continuous work to define an industry

wide specification for developing applications that operate over wireless

communication networks (see WAP Push; page 3); thereby using the push

message which is used by a WAP push application to deliver the content to a

WAP client (see WAP Push; page 3).

Evans discloses:

       Regarding claims 2 and 3, wherein the content sharing system is

    associated with a wireless carrier.

Evans does not expressly disclose:

       Regarding claim 2, wherein the wireless carrier provides mobile

    service for the mobile device of the recipient.

Regarding claim 3, wherein the wireless carrier does not provide mobile service for the mobile device of the recipient.

Examiner takes official notice that:

Regarding claim 2, wherein the wireless carrier provides mobile service for the mobile device of the recipient (see Non-Final Rejection mailed on 4/30/2008 followed by applicant's arguments on 7/30/2008).

Regarding claim 3, wherein the wireless carrier does not provide mobile service for the mobile device of the recipient (see Non-Final Rejection mailed on 4/30/2008 followed by applicant's arguments on 7/30/2008).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the wireless carrier of the user and the recipient the same, such as Cingular to Cingular, or the alternative wherein the wireless carrier of the user does not provide mobile service to the recipient mobile device, such as Cingular to Verizon for the purpose of allowing the message processing system to work across multiple providers. Furthermore, it is well known that at least before 2004 phones such as T610 supported SMS, EMS, MMS, Email, WAP 2.0/XHTML and were used by Providers such as T-Mobile, Cingular, and Vodafane.

2.   Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over

Evans ("US 7,200,680 B2") and in view of WAP Push ("WAP Push Message Ver.

16-Aug-99") and further in view of Barrett ("US 2002/0059454 A1").

Evans discloses:

             Regarding claim 6, the method (see Evans; abstract; "method")

        Evans is silent about:

             Regarding claim 6, further comprising determining whether the user

        has exceeded a predetermined threshold for sharing content.

However, in a related field of endeavor:

Barrett discloses:

             Regarding claim 6, further comprising determining whether the user

        has exceeded a predetermined threshold for sharing content (see Barrett;

        paragraph 0006; claim 29; wherein the determining that the electronic data

        has to be blocked when the number of connections that are open with the

        sender exceeds a threshold number corresponds to determining whether

        the user has exceeded a predetermined threshold for sharing content).

             Given that the invention of Evans in view of WAP Push and further in

view of Barrett as all relate to a multimedia distribution to terminals (i.e. end

devices), it would have been obvious to one of ordinary skill in the art at the time

of the invention to modify the invention of Evans in view of WAP Push, as taught

by Barrett, thereby being able to determine the identity of a sender and

counteracting the popular spammer tactic of using fraudulent and falsified return

addresses (see Barrett; paragraph 0009).

1.   Claim 8-11 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable

over Evans ("US 7,200,680 B2") and in view of WAP Push ("WAP Push Message

Ver. 16-Aug-99").

Evans discloses:

          Regarding claim 8, A content provider system (see Evans; figure 2;

"202" and "206 are part of the system) configured for facilitating the sharing

of content among users (see Evans; abstract; "providing multimedia

messages to incompatible terminals") of mobile devices (see Evans; figure

2; "204" and "210") interconnected within one or more mobile

telecommunication networks (see Evans; figure 2; wherein the system

disclosed is a mobile telecommunications system), wherein at least some

of the users subscribe to a mobile service provided by a mobile service

provider (see Evans; figure 3a; wherein disclosure of sharing content

provided by a content provider), the system comprising: means for

generating a user-selectable share content link as part of content available

for access by users of mobile devices (see Evans; figure 3a; wherein

generation of "notify.ind("http://mms1/msg1")" is user-selectable shre

content link as part of content available for access by users of mobile

devices), wherein the user-selectable share content link comprises a

specific resource locater parameter (see Evans; figure 3a; wherein

"http://mms1/msg1" is the specific resource locator parameter) wherein the

specific resource locater parameter identifies a device-dependent portion

of the content (see Evans; figure 3b; wherein there exists need to render

http://mms1/msg1 compatible thus identifying a device dependent content

portion), and means for basing the user-selectable share content link on an

application program interface provided in association with a content

sharing application of the mobile service provider (see Evans; col. 6, line

65-66, wherein the user selectable share content is obtained via

GET(ImageRef) directed to the servlet; col 6, line 59-60, wherein the

servlets used are JSP servlets, i.e. Java applet, wherein the Java applet

corresponds to the application program interface).

Regarding claim 9, the system (see Evans; abstract; "system")

further comprising means for providing the content, including the user-

selectable share content link, to a device of a user, wherein the content

can then be shared with a recipient device via the content sharing

application of the mobile service provider (see Evans; col. 5, lines 20-35,

wherein the HTTP GET contains the URL, wherein the URL is a is the link

and the HTTP GET is the message request when the user selects from the

terminal browser a request for the stored/shared content).

Regarding claim 10, the system (see Evans; abstract; "system")

further comprising means for providing the content, including the user-

selectable share content link, to a device of a user, wherein the content

can then be shared with a recipient device via the content sharing

application of the mobile service provider (see Evans; col. 5, lines 20-35,

wherein the HTTP GET contains the URL, wherein the URL is a is the link

and the HTTP GET is the message request when the user selects from the

terminal browser a request for the stored/shared content), and wherein

selecting the user-selectable share content link results in a request

message being sent to the content sharing application of the mobile

service provider (see Evans; col. 6, line 65-66, wherein the user selectable

share content is obtained via GET(ImageRef) directed to the servlet; col 6,

line 59-60, wherein the servlets used are JSP servlets, i.e. Java applet,

wherein the Java applet corresponds to the application program interface).

     Regarding claim 11, the system (see Evans; abstract; "system")

wherein the content available for access by users of mobile devices is an

executable application (see Evans; col. 6, line 30, wherein GET(msgid)

from servlet corresponds to the specific resource locator associated with

an executable applet; col. 6, line 53 where in appl/smil corresponds to

applet/synchronized multimedia, i.e. smil 1.0, sms2, is a java applet; col. 6,

line 60, JSP Servlet is also a java applet which is an executable

application).

Regarding claim 13, the system (see Evans; abstract; "system")
wherein the device- dependent portion of the content is associated with a
determination of device type by the content provider (see Evans; figure 3c;
wherein matchCriteria() in combination with getDeviceModel() establish
renderMmsMsg() function parameters for content association with a
determination of device type by the content provider).

Evans is silent about:

Regarding claim 8, wherein the user-selectable share link comprises
a generic resource locator parameter and wherein the generic resource
locator parameter identifies a non-device dependent portion of the content.

However, in a related field of endeavor:

WAP Push discloses:

Regarding claim 8, wherein the user-selectable share link (see WAP
Push; scope; wherein WAP Push message) comprises a generic resource
locator parameter (see WAP Push; page 9; wherein disclosure of Content-
Location, wherein URL is specified as defined in [HTTP] referenced) and
wherein the generic resource locator parameter identifies a non-device
dependent portion of the content (see WAP Push; page 9; wherein
Content-Location; page 9; wherein reference to RFC 2616 point to Content
Location wherein Content Location; wherein Content Location contains the
relative URL, the generic URL).

Given that the invention of Evans and WAP Push both relate to a

multimedia distribution to terminals (i.e. end devices), it would have been obvious

to one of ordinary skill in the art at the time of the invention to modify the

invention of Evans, as taught by WAP Push, thereby following WAP (Wireless

Application Protocol) which is a result of continuous work to define an industry

wide specification for developing applications that operate over wireless

communication networks (see WAP Push; page 3); thereby using the push

message which is used by a WAP push application to deliver the content to a

WAP client (see WAP Push; page 3).

2.   Claim 12 rejected under 35 U.S.C. 103(a) as being unpatentable over

Evans ("US 7,200,680 B2") and in view of WAP Push ("WAP Push Message Ver.

16-Aug-99") and further in view of Chu ("U.S. 2005/0003810 A1")

Evans discloses:

Regarding claim 12, the system (see Evans; abstract; "system").

Evans is silent about:

Regarding claim 12, wherein the content available for access by

users of mobile devices is an executable MIDP application.

Chu discloses:

Regarding claim 12, wherein the content available for access by users of mobile devices is an executable MIDP application (see Chu; paragraphs 0048 - 0049; wherein "MIDP" is disclosed for mobile devices).

Given that the invention of Evans in view of WAP Push and Chu both relate to a multimedia distribution to terminals (i.e. end devices), it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Evans in view of WAP Push, as taught by Chu, thereby providing the core application functionality required by mobile applications (e.g. user interface, network connectivity, local data storage, and application life cycle management packaged as standardized Java runtime environment and set of Java APIs, etc.) (see Chu; paragraph 0049).

1.   Claims 14-15 and 17-20 rejected under 35 U.S.C. 103(a) as being

unpatentable over Evans ("US 7,200,680 B2") in view of WAP Push ("WAP Push

Message Ver. 16-Aug-99").

Evans discloses:

        Regarding claim 14, a method (see Evans; abstract; "method") for

facilitating the sharing of electronically communicated content among user

devices (see Evans; abstract; "providing multimedia messages to

incompatible terminals") having a range of capabilities (see Evans; figure

3c; wherein devices have a range of capabilities that are compatible or

incompatible), including input/output capabilities and platform capabilities

(see Evans; figure 4; wherein there is a screen, thus input/output; figure

3c; wherein "getDeviceModel()" thus platform capabilities), at a content

sharing system associated (see Evans; figure 2; "202" and "206 are part of

the system) with a wireless telecommunications service provider (see

Evans; figure 2; wherein the network comprises wireless

telecommunications equipment thus associated with a telecommunications

provider), wherein the electronically communicated content includes

content presented by content providers for consumption by users of the

user devices (see Evans; figure 2; sharing of content among users thus for

consumption by users and provided by a content provider), the method

comprising: receiving a request (see Evans; figure 3a;

"notify.ind("http://mms1/msg1")) from a first user device to share content

with a second user device, the request comprising a specific resource

locator parameter (see Evans; figure 3a; "http://mms1/msg1") wherein the

specific resource locator parameter identifies a device-dependent portion

of the content (see Evans; figure 3a; "http://mms1/msg1" identifies device

dependent content wherein the device-dependent portion of the content

corresponds to the specially formatted multimedia format), and determining

whether the first user device and the second user device have compatible

capabilities (see Evans; figure 3c; wherein a determination using

"matchCriteria()" and "getDeviceModel()" functions for device class

determination); if the first user device and the second user device have

compatible capabilities, then generating a specific content message (see

Evans; col. 7, lines 14-19; wherein when a successful match is found

corresponds to where the recipient's mobile device and the user's mobile

device are in the same class. Following this if condition, i.e. if successful

match, the renderMmsMsg is sent which corresponds to specific content

message for transmittal to the recipient's mobile device, i.e. the matching

model determined in the model determination in col. 7, line 8) comprising

the specific resource locater parameter (see Evans; col. 5, line 54; wherein

"http://mms1/msg1" corresponds to only the specific resource locator for

delivery of the specific content message); and if the first user device and the second user device do not have compatible capabilities (see Evans; figure 3b; wherein devices do not have compatible capabilities), then generating a generic content message comprising the generic resource locater parameter (see Evans; figure 3b; wherein transferring of generic message does not contain specific message content).

Regarding claim 15, the method wherein the determining whether the first user device and the second user device have compatible capabilities comprises retrieving and comparing information about the first device and the second device from a database containing subscriber records for subscribers of the wireless telecommunications service provider (see Evans; col. 7, lines 7-19, wherein the determining the model for a match from R380, the database containing subscriber records for subscribers of the wireless telecommunications service provider, comparing the model to check if a successful match will occur via getDeviceModel, DeviceModelCriteria and matchCriteria to various models corresponds to retrieving and comparing information about the first device and the second device from a database containing subscriber records for subscribers of the wireless telecommunications service provider).

Regarding claim 17, the method (see Evans; abstract; "method") wherein the generic content message is a WAP Push message (see

Evans; col. 4, line 6, wherein the WAP push proxy gateway comprised of both generic and specific messages).

Regarding claim 18, the method (see Evans; abstract; "method") wherein the generic content message is a SMS message (see Evans; col. 5, line 47).

Regarding claim 19, the method (see Evans; abstract; "method") wherein the specific content message is a WAP Push message (see Evans; col. 4, line 6, wherein the WAP push proxy gateway comprised of both generic and specific messages).

Regarding claim 20, the method (see Evans; abstract; "method") wherein the generic content message is neither a WAP Push message nor a SMS message (see Evans; col. 5, line 23, wherein the HTTP GET request corresponds to a generic content message that is neither a WAP Push message nor a SMS message).

Evans is silent about:

Regarding claim 14, wherein the request contains a generic resource locator parameter, wherein the generic resource locator parameter identifies a non device-dependent portion of the content.

However, in a related field of endeavor:

WAP Push discloses:

Regarding claim 14, wherein the request contains a generic resource locator parameter (see WAP Push; scope; wherein WAP Push message), wherein the generic resource locator (see WAP Push; page 9; wherein disclosure of Content-Location, wherein URL is specified as defined in [HTTP] referenced) parameter identifies a non device-dependent portion of the content (see WAP Push; page 9; wherein Content-Location; page 9; wherein reference to RFC 2616 point to Content Location wherein Content Location; wherein Content Location contains the relative URL, the generic URL).

Given that the invention of Evans and WAP Push relate to a multimedia distribution to terminals (i.e. end devices), it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Evans, as taught by WAP Push, thereby following WAP (Wireless Application Protocol) which is a result of continuous work to define an industry wide specification for developing applications that operate over wireless communication networks (see WAP Push; page 3); thereby using the push message which is used by a WAP push application to deliver the content to a WAP client (see WAP Push; page 3).

2.   Claim 16 rejected under 35 U.S.C. 103(a) as being unpatentable over

Evans ("US 7,200,680 B2") in view of WAP Push ("WAP Push Message Ver. 16-

Aug-99") and further in view of Valloppillil ("U.S. 7,343,168 B2").

Evans discloses:

   Regarding claim 16, the method (see Evans; abstract; "method")

wherein the determining whether the first user device and the second user

device have compatible capabilities comprises retrieving information about

the second device (see Evans; col. 7 lines 7-19; wherein the target device

model is determined for successful match corresponds to determining

whether a second device can display the specific set of electronically

communicated content and wherein the renderHandler getting the model

from deviceModelCritera corresponds to retrieving information about the

second device).

Evans is silent about:

   Regarding claim 16, a cross-carrier service.

However, in a related field of art:

Valloppillil discloses:

   Regarding claim 16, a cross-carrier service (see Valloppillil; col. 3

lines 7-11; wherein disclosure of cross carrier service).

Given that the invention of Evans in view of WAP Push and further in view of Valloppillil relate to multimedia distribution to terminals (i.e. end devices), it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Evans in view of WAP Push, as taught by Valloppillil, thereby providing ease of publishing content, while also using also using an asynchronous person-to-person communication model and providing efficient monetization (see Valloppillil; col. 4 lines 65-67 and col. 5 lines 1-3).

3.   Claims 21 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable

over Evans ("US 7,200,680 B2") and in view of WAP Push ("WAP Push Message

Ver. 16-Aug-99").

Evans discloses:

        Regarding claim 21, a wireless telecommunications service provider

        system (see Evans; figure 2; disclosure of wherein communication is

        performed between to user devices in a wireless telecommunications

        service provider) for facilitating t-he sharing of content provided (see

        Evans; abstract; "providing multimedia messages to incompatible

        terminals") by content providers among wireless devices users (see Evans;

        figure 2; "204" and "210") via one or more networks (see Evans; figure 2;

        wherein the system disclosed is a mobile telecommunications system), the

        system comprising: a server computer (see Evans; col. 4 line 45; wherein

        the short messaging service server corresponds to a server computer); a

        database coupled to the server computer (see Evans; col. 4 line 55; the

        MMC storing the multimedia messages corresponds to a database wherein

        the MMC is coupled to the server as illustrated in figure 2); and a content

        sharing application running on the server computer and having access to

        the database (see Evans; col. 8 lines 57-60; wherein each function

        described can be implemented using a computer program corresponds to

an application running on the server; col. 4, lines 59-63; wherein sending a

notification indication message is ready for delivery corresponds to a

content sharing application running on the server computer and having

access to the database), wherein the content sharing application (see

Evans; figure 1a; wherein the "MCP Service") receives and processes a

request (see Evans; figure 3a; "notify.ind("http://mms1/msg1")) to share

content with a second wireless device from a first wireless device (see

Evans; figure 3a; wherein content is shared between a first and second

device), wherein the request (see Evans; figure 3a;

"notify.ind("http://mms1/msg1")) comprises a specific resource locater

parameter (see Evans; figure 3a; "http://mms1/msg1")   wherein the

specific resource locater parameter identifies a device-dependent portion

of the content (see Evans; figure 3a; "http://mms1/msg1" identifies device

dependent content wherein the device-dependent portion of the content

corresponds to the specially formatted multimedia format), and wherein the

content sharing application (see Evans; figures 3a and 3b; wherein servlet

shares content) determines whether the first wireless device has

capabilities (see Evans; figure 3c; wherein "matchCriteria()" in combination

with "getDeviceModel()" determines capabilities) compatible with a second

wireless device (see Evans; col. 3 lines 4-6; wherein figure 3c illustrates

target device e or browser handling and model determination during the

rendering sequence of figure 3b).

Regarding claim 23 the system (see Evans; abstract; "system")

wherein the request further comprises a display description to which the

first wireless device is returned after the request is processed (see Evans;

col. 5 60-67; wherein the MMCP notifies the wireless user via the said first

identifier, i.e. the sms, once selecting of at least a portion of the identified

cont the response is in WML, i.e. resp(WML message), wherein wireless

markup language generates mobile device displays).

Evans is silent about:

Regarding claim 21, wherein the request contains a generic

resource locator parameter, wherein the generic resource locator

parameter identifies a non device-dependent portion of the content.

However, in a related field of endeavor:

WAP Push discloses:

Regarding claim 21, wherein the request (see WAP Push; scope;

wherein WAP Push message) contains a generic resource locator

parameter (see WAP Push; page 9; wherein disclosure of Content-

Location, wherein URL is specified as defined in [HTTP] referenced),

wherein the generic resource locator parameter (see WAP Push; page 9;

wherein disclosure of Content-Location, wherein URL is specified as

defined in [HTTP] referenced) identifies a non device-dependent portion of

the content (see WAP Push; page 9; wherein Content-Location; page 9;

wherein reference to RFC 2616 point to Content Location wherein Content

Location; wherein Content Location contains the relative URL, the generic

URL).

Given that the invention of Evans and WAP Push both relate to a

multimedia distribution to terminals (i.e. end devices), it would have been obvious

to one of ordinary skill in the art at the time of the invention to modify the

invention of Evans, as taught by WAP Push, thereby following WAP (Wireless

Application Protocol) which is a result of continuous work to define an industry

wide specification for developing applications that operate over wireless

communication networks (see WAP Push; page 3); thereby using the push

message which is used by a WAP push application to deliver the content to a

WAP client (see WAP Push; page 3).

4.   Claim 22 rejected under 35 U.S.C. 103(a) as being unpatentable over

Evans ("US 7,200,680 B2") and in view of WAP Push ("WAP Push Message Ver.

16-Aug-99") and further in view of Valloppillil ("U.S. 7,343,168 B2").

Evans in view of WAP Push disclose:

      Regarding claim 22, the system (see Evans; abstract; "system").

Evans in view of WAP Push are silent about:

      Regarding claim 22, comprising a cross-carrier service accessible

by the content sharing application, wherein the cross-carrier service

facilitates sharing of content among devices not registered with the content

sharing application.

However, in a related field of art:

Valloppillil discloses:

      Regarding claim 22, comprising a cross-carrier service (see

Valloppillil; col. 3 lines 7-11; disclosure of cross-carrier) accessible by the

content sharing application (see Valloppillil; col. 3 lines 3-19; wherein

disclosure of SMS, a content sharing application), wherein the cross-

carrier service facilitates sharing of content among devices not registered

with the content sharing application (see Valloppillil; col. 3 lines 3-19;

wherein different carriers are interconnected for content sharing (SMS) and

wherein sharing is cross-carrier).

      Given that the invention of Evans in view of WAP Push and further in

view of Valloppillil relate to multimedia distribution to terminals (i.e. end devices),

it would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the invention of Evans in view of WAP Push, as taught by

Valloppillil, thereby providing ease of publishing content, while also using also

using an asynchronous person-to-person communication model and providing

efficient monetization (see Valloppillil; col. 4 lines 65-67 and col. 5 lines 1-3).

5.   Claims 24-28 and 31-35 rejected under 35 U.S.C. 103(a) as being

unpatentable over Evans ("US 7,200,680 B2") in view of WAP Push ("WAP Push

Message Ver. 16-Aug-99").

Evans discloses:

        Regarding claim 24, a computer-readable medium (see Evans;

abstract; "method" thus implementable as instructions implementable on a

computer readable medium) comprising computer-readable instructions for

facilitating sharing of content among users of mobile devices (see Evans;

abstract; "providing multimedia messages to incompatible terminals"), the

computer-readable instructions comprising instructions for: receiving a

request (see Evans; figure 3a; "notify.ind("http://mms1/msg1")),from a first

mobile device to share content with a second mobile device (see Evans;

figure 3a; disclosure of wherein "206" sends a request to "202 to share

content with "326"), wherein the request comprises a specific resource

locater parameter (see Evans; figure 3a; "http://mms1/msg1") , wherein the

specific resource locater parameter identifies a device-dependent portion

of the content (see Evans; figure 3a; "http://mms1/msg1" identifies device

dependent content wherein the device-dependent portion of the content

corresponds to the specially formatted multimedia format), and wherein the

request (see Evans; figure 3a; "notify.ind("http://mms1/msg1")) is

associated with a user-selectable option on a display description provided by a content provider (col. 5, lines 33-48, wherein the browser type is determined so the message can be rendered using the appropriate markup language, such as WML or HTTP, i.e. the display description, then the MMC notifies the user via the rendered message for display, wherein the MMCP and MMC together correspond to the content provider), determining whether the first mobile device and the second mobile device are in the same class (see Evans; figure 3c; wherein a determination using "matchCriteria()" and "getDeviceModel()" functions for device class determination); and if the first mobile device and the second mobile device are in the same class, generating a specific content message (see Evans; col. 7, lines 14-19; wherein when a successful match is found corresponds to where the recipient's mobile device and the user's mobile device are in the same class. Following this if condition, i.e. if successful match, the renderMmsMsg is sent which corresponds to specific content message for transmittal to the recipient's mobile device, i.e. the matching model determined in the model determination in col. 7, line 8), wherein the specific content message comprises the specific resource locater but not the generic resource locater (see Evans; col. 5, line 54; wherein "http://mms1/msg1" corresponds to only the specific resource locator for delivery of the specific content message), and transmitting the specific

content message to the second mobile device (see Evans; figure 3b;

wherein message is transmitted to the terminal); and if the first mobile

device and the second mobile device are not in the same class (see

Evans; figure 3b; wherein devices are not in same class), generating a

generic content message (see Evans; figure 3b; wherein

"renederMmsMsg()" is a function that generates content message to

incompatible device), wherein the generic content message comprises the

generic resource locater but not the specific resource locater (see Evans;

figure 3b; wherein transferring of generic message does not contain

specific message content), and transmitting the generic content message

to the second mobile device (see Evans; figure 3b; wherein message is

transmitted to the terminal).

Regarding claim 25, the computer-readable medium (see Evans;

col. 8 lines 57-60; wherein the code segments and computer program

correspond to the data structure, wherein each function associated with

said code segments and computer program on the computer readable

medium correspond to each of the following functions disclosed) wherein

the display description is implemented, at least in part, in HTML (see

Evans; col. 5 line 36).

Regarding claim 26, the computer-readable medium (see Evans;

col. 8 lines 57-60; wherein the code segments and computer program

correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed) wherein the display description is implemented, at least in part, in XML (col. 7, line 39).

Regarding claim 27, the computer-readable medium (see Evans; col. 8, lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed) wherein the display description is implemented, at least in part, in XHTML (see Evans; col. 5 line 36; wherein XHTML is an obvious variant of HTML).

Regarding claim 28, the computer-readable medium (see Evans; col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed) wherein the display description is implemented, at least in part, in WML (see Evans; col. 5 line 36).

Regarding claim 30, the computer-readable medium (see Evans; col. 8 lines 57-60; wherein the code segments and computer program

correspond to the data structure, wherein each function associated with

said code segments and computer program on the computer readable

medium correspond to each of the following functions disclosed) , wherein

the request further comprises an indication of a return uniform resource

locator identifying the address of the display description to which the first

mobile device will be returned after the request is received (see Evans; col.

5 line 47; wherein sms http://wlts12/lts?url="http://mms1/msg1"

corresponds to a return uniform resource locator identifying the address of

the display description to which the user will be returned after performing a

process associated with identifying recipients with whom to share content.

Furthermore, examiner takes official notice that this feature would have

been obvious to one of ordinary skill in the art at the time of the invention.)

     Regarding claim 31, the computer-readable medium (see Evans;

col. 8 lines 57-60, wherein the code segments and computer program

correspond to the data structure, wherein each function associated with

said code segments and computer program on the computer readable

medium correspond to each of the following functions disclosed) wherein

the computer- readable medium is a memory of the telecommunications

mobile device (see Evans; col. 8 lines 57-60; wherein the code segments

and computer program correspond to the data structure, wherein each

function associated with said code segments and computer program on

the computer readable medium correspond to each of the following functions disclosed; col. 5 line 65-67; for the image to be retrieved my multiple GETs exhibits the users terminal or telecommunication mobile device comprises of memory).

Regarding claim 32, The computer-readable medium (see Evans; col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed) wherein the computer- readable medium is a logical node in a computer network receiving the contents (see Evans; col. 5 line 65-67; for the image to be retrieved my multiple GETs exhibits the users terminal or telecommunication mobile device comprises of memory, wherein the users terminal or telecommunication mobile device corresponds to a logical node in a computer network receiving the contents).

Regarding claim 33, the computer-readable medium (see Evans; col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed) wherein the computer- readable medium is a computer-readable disk (see Evans;

col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed and computers contain disk for computer readable medium).

Regarding claim 34, the computer-readable medium (see Evans; col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed) wherein the computer- readable medium is a data transmission medium carrying a generated data signal containing the contents (see Evans; col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed; figure 2; where transmission medium carrying a generated data signal containing the contents is illustrated).

Regarding claim 35, the computer-readable medium (see Evans; col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with

said code segments and computer program on the computer readable

medium correspond to each of the following functions disclosed) ~~of claim~~

~~24~~ wherein the computer- readable medium is a memory of a computer

system (see Evans; col. 8, lines 57-60; wherein the code segments and

computer program correspond to the data structure, wherein each function

associated with said code segments and computer program on the

computer readable medium correspond to each of the following functions

disclosed; col. 5 line 65-67; for the image to be retrieved my multiple GETs

exhibits the users terminal or telecommunication mobile device comprises

of memory and the users terminal or telecommunication mobile device

corresponds to a computer system).

Evans is silent about:

Regarding claim 24, wherein the request contains a generic

resource locator parameter, wherein the generic resource locator

parameter identifies a non device-dependent portion of the content.

However, in a related field of endeavor:

WAP Push discloses:

Regarding claim 24, wherein the request (see WAP Push; scope;

wherein WAP Push message) contains a generic resource locator

parameter (see WAP Push; page 9; wherein disclosure of Content-

Location, wherein URL is specified as defined in [HTTP] referenced),

wherein the generic resource locator (see WAP Push; page 9; wherein

disclosure of Content-Location, wherein URL is specified as defined in

[HTTP] referenced) parameter identifies a non device-dependent portion of

the content (see WAP Push; page 9; wherein Content-Location; page 9;

wherein reference to RFC 2616 point to Content Location wherein Content

Location; wherein Content Location contains the relative URL, the generic

URL).

Given that the invention of Evans and WAP Push both relate to a

multimedia distribution to terminals (i.e. end devices), it would have been obvious

to one of ordinary skill in the art at the time of the invention to modify the

invention of Evans, as taught by WAP Push, thereby following WAP (Wireless

Application Protocol) which is a result of continuous work to define an industry

wide specification for developing applications that operate over wireless

communication networks (see WAP Push; page 3); thereby using the push

message which is used by a WAP push application to deliver the content to a

WAP client (see WAP Push; page 3).

6.   Claims 29-30 rejected under 35 U.S.C. 103(a) as being unpatentable over

Evans ("US 7,200,680 B2") and in view of WAP Push ("WAP Push Message Ver.

16-Aug-99") and further in view of Valloppillil ("US 7,343,168 B2").

Evans in view of WAP Push disclose:

Regarding claim 29, the computer-readable medium further comprising instructions for receiving (see Evans; col. 8 lines 57-60; wherein the code segments and computer program correspond to the data structure, wherein each function associated with said code segments and computer program on the computer readable medium correspond to each of the following functions disclosed).

Evans in view of WAP Push do not specifically disclose:

Regarding claim 29, an indication of whether the content provider consents to providing access to the shared content to a cross-carrier user.

Vallopillil discloses:

Regarding claim 29, an indication of whether the content providing access to the shared content to a cross-carrier user(see Valloppillil; col. 3 lines 7-11; disclosure of cross-carrier).

Given that the invention of Evans in view of WAP Push and further in view of Valloppillil relate to multimedia distribution to terminals (i.e. end devices), it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Evans in view of WAP Push, as taught by Valloppillil, thereby providing ease of publishing content, while also using also

using an asynchronous person-to-person communication model and providing

efficient monetization (see Valloppillil; col. 4 lines 65-67 and col. 5 lines 1-3).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADAM DUDA whose telephone number is (571)270-5136. The examiner can normally be reached on Mon. - Fri. 9:30 a.m. - 7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang B. Yao can be reached on (571) 272 - 3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ADAM DUDA/
Examiner, Art Unit 2416

/Kwang B. Yao/
Supervisory Patent Examiner, Art Unit 2416